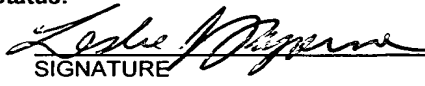


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|--|--|--|---|
| Form PTO-1390 | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER P28700 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/553948 |
| INTERNATIONAL APPLICATION NO. PCT/JP2004/005935 | INTERNATIONAL FILING DATE 23 April 2004 | PRIORITY DATE CLAIMED 23 April 2003 | |
| TITLE OF INVENTION METHYLATED CpG POLYNUCLEOTIDE | | | |
| APPLICANT(S) FOR DO/EO/US Yukio SATO and Hiroko KOBAYASHI | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information. | | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below. 4. <input type="checkbox"/> The US has been elected (PCT Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d) (4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). "UNEXECUTED" 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | | |
| Items 11 to 22 below concern other document(s) or information included: | | | |
| 11. Assignee: <u>YUKIO SATO, of Fukushima, JAPAN and Taisho Pharmaceutical Co., Ltd., of Tokyo, JAPAN</u> | | | |
| 12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. | | | |
| 13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. | | | |
| 14. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. | | | |
| 15. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76. | | | |
| 16. <input type="checkbox"/> A substitute specification. | | | |
| 17. <input type="checkbox"/> A power of attorney and/or change of address letter. | | | |
| 18. <input checked="" type="checkbox"/> Figure of Drawing to be published: <u>1</u> | | | |
| 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. | | | |
| 20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154 (d) (4). | | | |
| 21. <input type="checkbox"/> A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4). | | | |
| 22. <input checked="" type="checkbox"/> Other items or information: International Application as published (in Japanese) with three sheets of Sequence Listings. PCT/RO/101 PCT Request Form (with International Application as filed in Japan and three sheets of Sequence Listings). Cover Letter under 35 U.S.C. 371 AND 37 C.F.R. 1.495. PCT/IB/301. PCT/IB/304. PCT/IB/308. PCT/ISA/210 (in Japanese and English). PCT/ISA/237 (in Japanese). Three Sheets of Sequence Listings. Claim of Priority. | | | |

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|---|--------------|---|---|------------------------------------|--------------|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/553948 | | INTERNATIONAL APPLICATION NO. PCT/JP2004/005935 | | ATTORNEY'S DOCKET NUMBER P28700 | |
| 23 <input checked="" type="checkbox"/> The following fees are submitted: Basic national fee..... 300.00 | | | | CALCULATIONS \$300.00 | PTO USE ONLY |
| 24 <input checked="" type="checkbox"/> Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4)..... 100.00 All other situations..... 200.00 | | | | \$200.00 | |
| 25 <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a) (2)) has been paid on the international application to the USPTO as an International Searching Authority..... 100.00 International Search Report prepared and provided to the Office..... 400.00 All other situations..... 500.00 | | | | \$400.00 | |
| TOTAL 23, 24 and 25 = | | | | \$0.00 | |
| <input type="checkbox"/> Additional Fee for Specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| -100= | /50 = | | x \$250.00 | \$0.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | | | | |
| Claims | Number Filed | Number Extra | Rate | | |
| Total Claims | 9 - 20 = | 0 | x \$50.00 | \$0.00 | |
| Independent Claims | 1 - 3 = | 0 | x \$200.00 | \$0.00 | |
| Multiple Dependent Claim(s) (if applicable) | | | + \$360.00 | \$0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$900.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$0.00 | |
| SUBTOTAL = | | | | \$900.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (i)). | | | | \$0.00 | |
| Extension of Time fee in the amount of \$ | | | | \$0.00 | |
| TOTAL NATIONAL FEE = | | | | \$900.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$0.00 | |
| TOTAL FEES ENCLOSED = | | | | \$900.00 | |
| | | | | Amount to be refunded | \$ |
| | | | | Charged | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of <u>\$900.00</u> to cover the above fees is included. | | | | | |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. | | | | | |
| c. <input checked="" type="checkbox"/> The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0089</u> . | | | | | |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO CUSTOMER NO. 07055 AT THE PRESENT ADDRESS OF: | | | Leslie J. Paperner Reg. No. 33,329 | | |
| Bruce H. Bernstein GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clark Place Reston, VA 20191 (703) 716-1191 | | | SIGNATURE  | | |
| | | | NAME Bruce H. Bernstein | | |
| | | | REGISTRATION NUMBER 29,027 | | |

P28700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Y. SATO et al. **Mail Stop PCT**
Appl. No: : Not Yet Assigned PCT Branch
I. A. Filed : 23 April 2004
(U.S. National Phase of PCT/JP2004/005935)
For : METHYLATED CpG POLYNUCLEOTIDE

CLAIM OF PRIORITY

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop PCT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby claims the right of priority granted pursuant to 35 U.S.C. 119 and 365 based upon Japanese Application No. 2003-118999, filed 23 April 2003. The International Bureau already should have sent a certified copy of the Japanese application to the United States designated office. If the certified copy has not arrived, please contact the undersigned.

Respectfully submitted,
Y. SATO et al.



Bruce H. Bernstein
Reg. No. 29,027

Leslie J. Paperner
Reg. No. 33,329

October 20, 2005
GREENBLUM & BERNSTEIN, P.L.C.
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